## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NORMAN TOLER,

:

Petitioner,

:

v.

: Civil Action No. 05-2505 (GK)

:

ALBERTO GONZALES,

:

Respondent.

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the "Petition for Mandatory Injunctive Relief in the Style of the Abolished Writ of Mandamus and for a Declaration of Rights" [#1] is DENIED and the Court's Order to Show Cause [#5] is DISCHARGED. It is further

ORDERED that Respondent's motion to dismiss [#9] is GRANTED, and that this civil action is DISMISSED WITHOUT PREJUDICE.

This is a final appealable Order. See Fed. R. App. P. 4(a). SO ORDERED.

GLADYS KESSIER

United States District Judge

DATE: Nov. 6, 2006